

UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

ANTHONY SMITH,

Plaintiff,

v.

PUBLIC DEFENDER'S OFFICE OF
ALAMEDA COUNTY,

Defendant.

No. 15-cv-695 LB

ORDER

[Re: ECF No. 18]

Anthony Smith has filed a "motion to review and explanation thereby," in which he requests a 90-day extension of the July 10, 2015 deadline for him to file an amended complaint. (ECF No. 18 at 2.) He attached to his motion a copy of a program status sheet showing that, on May 25, 2015, his prison was put on a "modified program," with access to the law library limited to preferred legal users. (*Id.* at 3.) The modified program does not warrant an extension of the deadline. Even if Mr. Smith continues to be subject to a modified program, he had more than a month before that modified program began to work on his amended complaint. Also, Mr. Smith likely does not need to be in the law library to prepare his amended complaint because the court explained what Mr. Smith needed to allege in his amended complaint and the preparation of the amended complaint is a fact-based task. The preparation of an amended complaint is largely a matter of writing out the facts of one's claims; a reasonably diligent plaintiff might need several days or possibly weeks (but not months) to accomplish this task, that being said, given that the letter was not enclosed on the court's docket until June 24, 2015, and the date of this order, the court grants a 30 day extension of time. Mr. Smith must file his amended complaint no later than **August 10, 2015**, or this action will be

1 dismissed.

2 **IT IS SO ORDERED.**

3 Dated: July 1, 2015

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LAUREL BEELER
United States Magistrate Judge

UNITED STATES DISTRICT COURT
For the Northern District of California

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